

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

| | | |
|---------------------------------------|---|-----------------------------------|
| MICHAEL WARD d/b/a/ BRAINTEASER |) | |
| PUBLICATIONS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | Civil Action No. 13-cv-7851 (JMF) |
| - against - |) | |
| |) | |
| BARNES & NOBLE, INC., STERLING |) | |
| PUBLISHING CO., INC., FRANCIS HEANEY, |) | |
| and PATRICK BLINDAUER, |) | |
| |) | |
| Defendants. |) | |
| |) | |

**NOTICE OF MOTION FOR PARTIAL RECONSIDERATION OF THE
COURT'S FEBRUARY 23, 2015 OPINION AND ORDER ON
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that pursuant to Local Civil Rule 6.3, Defendants Barnes & Noble, Inc., Sterling Publishing Co., Inc., Francis Heaney and Patrick Blindauer (collectively, "Sterling") hereby respectfully move this Court for: (i) reconsideration of that portion of the Court's February 23, 2015 Opinion and Order (Dkt. 38) denying summary judgment with respect to Plaintiff's copyright claim as it pertains to the instructions in the Hangman books at issue, and (ii) upon such reconsideration, granting summary judgment in Sterling's favor. In support of this motion, Sterling relies upon its accompanying Memorandum of Law in Support of Defendants' Motion for Partial Reconsideration of the Court's February 23, 2015 Opinion and Order.

Pursuant to Local Civil Rules 6.3 and 6.1(b) and this Court's Individual Rules of Practice, Plaintiff's answering papers, if any, are to be served and filed within fourteen (14) days following service of this motion, and any reply papers are to be served and filed within seven (7) days following service of any answering papers.

Dated: New York, New York
March 4, 2015

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